IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 25th day of October, 2005
Bail Application no. 1029 **of 2005**
Order on the bail application of accused

CRIMINAL SIDE

1 Rajendra Singh S/o Late Gulab Singh
2 Raghubir Singh S/o Shri Hayat Singh
Both are R/o Village and post Office Beradhar
Tahasil Tharali
District Chamoli
Uttaranchal …Applicants

Versus

State of Uttaranchal … Opposite Party

Arising out of Case Crime No. 41 of 2005
Under Sections 120-B and 304 I.P.C.
Thana Tharali
Patwari Circle Dewal
District Chamoli

By the court

Hon'ble B.C. Kandpal, J

The applicants have applied for bail in case crime No. 41 of 2005 under Sections 120-B and 304 I.P.C., Thana Tharali, Patwari Circle Dewal, District Chamoli.

Heard Sri P.S. Dhanu learned counsel for the applicants, learned A.G.A. and perused the record.

The case rests on circumstantial evidence. The only evidence available against the applicants is that of last seen. The evidence collected by the investigating Officer as yet does not appear to be convincing.

Learned A.G.A. could not point out any other clinching evidence which may connect the applicants with the commission of crime.

Having considered the aforesaid facts and circumstances of the case, I think, it would be just and proper to release the applicants on bail at this stage.

Let the applicants, namely, Rajendra Singh and Raghubir Singh be released on bail on their executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

(B.C. Kandpal, J)

25.10.2005
ASWAL